## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

TEVA PHARMACEUTICALS USA, INC. and MAYNE PHARMA INTERNATIONAL PTY LTD.,	) ) )
Plaintiffs,	)
v.	) C.A. No. 13-2002 (GMS)
FOREST LABORATORIES, INC. and FOREST PHARMACEUTICALS, INC.,	) ) )
Defendants.	)

## **NOTICE OF SUBSEQUENT AUTHORITY**

Defendants Forest Laboratories, Inc. and Forest Pharmaceuticals, Inc. wish to bring to the Court's attention the Federal Circuit's decision of today in *WBIP*. *LLC v Kohler Co.*, No. 2015-1038 (Fed. Cir. July 19, 2016) (Exhibit A), stating (at page 36) that the right to a jury trial on willfulness is not affected by *Halo*.

Respectfully,

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/Jack B. Blumenfeld

OF COUNSEL:

Peter J. Armenio, P.C.
Robert B. Wilson
Anne S. Toker
Krista M. Rycroft
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
(212) 849-7000

Jack B. Blumenfeld (#1014) Maryellen Noreika (#3208) 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899 (302) 658-9200 jblumenfeld@mnat.com mnoreika@mnat.com

Attorneys for Defendants and Counterclaim Plaintiffs, Forest Laboratories, LLC (f/k/a Forest Laboratories, Inc.) and Forest Pharmaceuticals, Inc. Steven G. Madison Robert S. Hill QUINN EMANUEL URQUHART & SULLIVAN, LLP 865 South Figueroa Street, 10th Floor Los Angeles, CA 90017 (213) 443-3000

June 19, 2016
10246983.1

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 19, 2016, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 19, 2016, upon the following in the manner indicated:

Richard L. Horwitz, Esquire
David E. Moore, Esquire
Bindu A. Palapura, Esquire
Stephanie E. O'Byrne, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6<sup>th</sup> Floor
1313 North Market Street
Wilmington, DE 19801
Attorneys for Plaintiffs

VIA ELECTRONIC MAIL

VIA ELECTRONIC MAIL

John S. Cipolla, Esquire
Georgia Yanchar, Esquire
Malisheia O. Douglas, Esquire
Todd R. Tucker, Esquire
Andrew Alexander, Esquire
Veronica M. Lambillotte, Esquire
CALFEE, HALTER & GRISWOLD LLP
The Calfee Building
1405 East Sixth Street
Cleveland, OH 44114-1607
Attorneys for Plaintiffs

/s/Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)